



Paper No. 16

McAndrews, Held & Malloy, Ltd.
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Chicago, IL 60661

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JAN 27 2003

OFFICE OF PETITIONS

In re Application of :
Daniel J. Sullivan, :
Mark P. Crockett, John Epler and :
Robert A. Hilgart :
Application No. 09/928,130 :
Filed: August 10, 2001 :
Title: COMPUTERIZED RISK MANAGEMENT :
MODULE FOR MEDICAL DIAGNOSIS :

DECISION ACCORDING STATUS
UNDER 37 C.F.R. § 1.47(a)

This is a decision on the second "Request for Reconsideration of Petition," filed January 13, 2003.

The petition under 37 CFR § 1.47(a) is **GRANTED**.

The above-identified application was filed on August 10, 2001, without an executed declaration, and naming Daniel J. Sullivan, Mark D. Crockett, John Epler and Robert A. Hilgart as joint inventors. In response to a "Notice to File Missing Parts of Nonprovisional Application," mailed September 18, 2001, applicant timely filed the initial petition under § 1.47(a) (and fee) and late surcharge under § 1.16(e). Accompanying the petition was a declaration executed by inventors Crockett, Epler and Hilgart; and a declaration executed by inventor Epler on behalf of non-signing inventor Sullivan. The initial petition was dismissed for failure to submit a declaration executed by all of the available inventors on behalf of themselves and on behalf of non-signing inventor Sullivan. (Decision mailed June 20, 2002).

On July 12, 2002, applicants submitted a declaration with language expressly indicating that the signers of the declaration were signing on behalf of non-signing inventor Sullivan. This submission was treated as a request for reconsideration. However, since the declaration was unexecuted, the renewed petition was dismissed. (Decision mailed July 25, 2002).

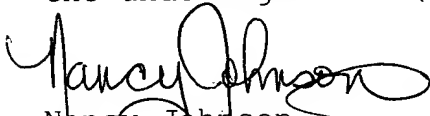
On instant request for reconsideration, applicants submitted the declaration with language expressly indicating that the signers of the declaration were signing on behalf of non-signing inventor Sullivan. This declaration was executed by all of the available joint inventors on behalf of themselves and on behalf of non-signing inventor Sullivan. Further, this declaration has been reviewed and found in compliance with §§ 1.63 and 1.64. Applicants have now met the requirements for status under § 1.47.

In view thereof, this application is hereby accorded Rule 1.47(a) status.

address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

The application file is being returned to the Office of Initial Patent Examination for completion of pre-examination processing.

Telephone inquiries regarding this decision should be directed to the undersigned at (703) 305-0309.


Nancy Johnson
Petitions Attorney
Office of Petitions



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
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LETTER OFFICE OF PETITIONS

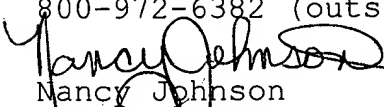
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Title: COMPUTERIZED RISK MANAGEMENT: :
MODULE FOR MEDICAL DIAGNOSIS :

Dear Mr. Sullivan:

You are named as a joint inventor in the above-identified United States patent application filed under the provisions of 35 U.S.C. 116 (United States Code) and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Nancy Johnson at (703) 305-0309. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at (703) 308-9726 or 1-800-972-6382 (outside the Washington D.C. area).


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